IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 5TH SEPTEMBER 2007 / 14TH BHADRA 1929

WP(C).No. 22058 of 2007(A)

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PETITIONER:

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P.G.RAJU, S/O. GEORGE BENJAMIN,
AGED 58 YEARS, KONNETHARAYIL, POOZHIKKADU,
KUDASSANAD P.O., PANDALAM.

BY ADV. SRI.BECHU KURIAN THOMAS
SRI.ROSHEN.D.ALEXANDER

RESPONDENTS:

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1. THE SECRETARY,
PANDALAM GRAMA PANCHAYAT, PANDALAM.

2. SAMUEL KUTTY,
SHIJU BHAVAN, AYANTHIYIL, KONNETHARAYIL,
POOZHIKKADU, KUDASSANAD P.O., PANDALAM.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC : 22058 OF 2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : TRUE COPY OF THE REPRESENTATIO DT.02.05.07 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

EXT.P1(A) : TRUE COPY OF THE RECEIPT NO.4648 DT.02.05.07 ISSUED BY THE 1ST RESPONDENT.

EXT.P2 : TRUE COPY OF THE REPRESENTATION DT.30.05.07 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

EXT.P2 (A) : TRUE COPY OF THE RECEIPT NO.1703 DT.30.05.07 ISSUED BY THE 1ST RESPONDENT.

/TRUE COPY/

PA TO JUDGE.

**PIUS C. KURIAKOSE, J.**

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W.P.(C) No. 22058 OF 2007

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Dated this the 5th day of September, 2007

**JUDGMENT**

The grievance of the petitioner is that a tree belonging to the 2nd respondent is standing in such a way as to cause not only nuisance but also danger to the petitioner and inhabitants of his house. I do not propose to go into the merits of the matter. The respondents, in spite of service of notice, have not entered appearance before this Court. Ext.P1 representation is apparently pending before the 1st respondent. Accordingly, the Writ Petition will stand disposed of issuing the following directions:

The 1st respondent will take up Ext.P1 immediately, issue notice to the 2nd respondent, hear the petitioner and the 2nd respondent regarding the grievance which is voiced through Ext.P1 and take a correct and just decision on Ext.P1. This will be done by the 1st respondent at the earliest and at any rate within six weeks of receiving copy of this judgment.

j

**PIUS C. KURIAKOSE, JUDGE**

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